



**Town of Surfside
Planning and Zoning Board Meeting
MINUTES
September 29, 2022
6:00 PM
Town Commission Chambers**

1. Call to Order/Roll Call

Deputy Town Clerk Herbello called the meeting to order at 6:02 p.m.

Present: Board Member David Forbes, Board Member Lindsay Lecour, Board Member Jonathan Edderai, Alternate Board Member Michael Szafranski and Alternate Board Member Grace Rais.

Absent: Chair Carolyn Baumel and Board Member Ruben Bravo.

Also Present: Town Manager Andrew Hyatt, Town Planner Judith Frankel, Town Attorney Tony Recio, Commission Liaison Commissioner Fred Landsman and Consultant Town Planner Walter Keller.

1.A Appointment of a Vice Chair - Deputy Town Clerk Evelyn Herbello

A motion was made by Board Member Edderai to appoint Board Member Forbes as Vice Chair, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

2. Town Commission Liaison Report

Commissioner Landsman provided his Commission Liaison Report. He introduced the new Town Planner, Judith Frankel and the newly appointed Board Member Lindsey Lecour. He also provided an overview of the Charter Review Committee that will be put together in the coming months and advised them the importance of the Board. He and asked for any suggestions or recommendations of anyone that would be good to be on the Committee.

3. Approval of Minutes

3.A August 25, 2022 Planning and Zoning Board Meeting Minutes - Deputy Town Clerk Evelyn Herbello

A motion was made by Board Member Szafranski to approve the August 25, 2022 Planning and Zoning Board Meeting Minutes, seconded by Board Member Edderai. The motion carried with a 5-0 vote.

4. Applications

Town Attorney Recio read the quasi-judicial statement into the record.

Town Attorney Recio asked Deputy Town Clerk Herbello if notice requirements were met.

Deputy Town Clerk Herbello confirmed notice requirements were met.

Town Attorney Recio polled the Board Members.

No Board Members had any communication with any of the applicants.

Deputy Town Clerk Herbello swore in the applicants and any other individual wishing to speak.

4.A 8809 Harding Avenue - Redevelopment of Property with 8 Residential Units. - Town Consultant Planner Walter Keller, AICP, PE

Staff Recommendation: Development review requirements for this type of project follow Sec 90-20(2)(a) of the Zoning Code which requires.

- The development, as proposed, conforms to the Comprehensive Plan and the Zoning Code
- The development, as proposed, will have a favorable or unfavorable impact on the environment and natural resources, including a consideration of the means and estimated cost necessary to minimize the adverse impacts, if any
- The development, as proposed, will have a favorable or unfavorable impact on the economy of the Town of Surfside
- The development, as proposed, will efficiently use or unduly burden water, sewer, solid waste disposal, education, recreation or other necessary public facilities which have been constructed or planned and budgeted for construction in the area
- The development, as proposed, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, public streets, and roads, which have been planned and budgeted for construction in the area, and if the development is or will be accessible by private or public roads or streets
- The development, as proposed, is consistent with the community character of the immediate neighborhood. In addition to consistency there must be congruity between the subject development and neighboring improvements and surroundings including but not limited to form, spacing, heights, setbacks, materials, color, rhythm and pattern of architectural or aesthetic interest or value as well as with any overlays and other development schemes or legislation; and
- In the event of redevelopment, the Applicant shall also submit a detailed plan for demolition.

Staff finds the proposal complies with the Town's Comprehensive Plan in that the
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development is a residential use at a density lower than the maximum allowed. Staff also finds that the proposal generally complies with the Zoning Code.

The project has minimal impacts on the environment and natural resources. Impacts to public facilities and transportation impacts can be accommodated with one way access from Harding Avenue and exiting to Collins Avenue with an on-site loading zone. The Town's water main will need to be re-routed around the building per the Public Work's Department review.

Development of the vacant parcel will have a favorable impact on the economy of the Town and the design of the building will be consistent with the community character of the Harding Avenue – Collins Avenue neighborhood.

Preliminary review comments were provided to the Applicant and the plan set reflect revisions that addressed the majority of the comments. It is recommended the Applicant's Site Plan package be recommended to the Town Commission for approval subject to the resolution of the following comments.

- The roof parapet wall is limited to a maximum of 33 feet for the H30C portion of the project
- Dedicate right of way for roadway purposes for the back of sidewalk radius at the southeast corner of Collins Avenue and 88th Street
- FDOT Access Connection Approval for Harding Avenue and Collins Avenue.
- Architectural frame ornamental feature fronting on 88th Street needs Design Approval from the Planning and Zoning Board
- Wall and fence requires Design Approval from the Planning and Zoning Board
- The drawing title sheet rendering illustrates areas of landscape material on the frame and not on the frame. Provide additional discussion on how the landscape material will be attached and will it be continuous and how will it be maintained
- Provide table in landscape plan package which verifies compliance with 40% Florida Friendly species per the Town Code.
- Verify whether the landscape areas surrounded by hardscape and inside the building are included in the pervious area calculations

Consultant Town Planner Keller introduced the item and provided staff recommendations.

Carli Kolshal, Berkow & Radell representing the applicant provided an overview of the project.

Rene Gonzalez, Architect for the project provided the presentation of the project.

Vice Chair Forbes opened public comment.

The following individual from the public spoke:

George Kousoulas stated that this project has to accomplish certain aspects and spoke in favor of the frame of this building and this project.

Vice Chair Forbes closed public comment.

Board Member Rais stated she likes the building in general and what is being proposed. She appreciates the thoughts of the screen and plantings. She asked if the screen might be too tall and sticking out and the sustainability of the plants. She spoke regarding the materials of the façade and elevations.

Mr. Gonzalez addressed the comments made by Board Member Rais. He stated the intent was to have simple elements.

Board Member Szafranski asked if the applicant would be asking for any variances.

Consultant Town Planner Keller stated no they are not requesting any variances.

Board Member Szafranski asked what is the average square footage. He also asked the approximate cost per square footage.

Mr. Gonzalez stated about 3,500 square feet.

Alejandro Bonet, architect, addressed the question regarding the square footage and the hard cost of the project.

Town Attorney Recio asked for the questions to be focused on the design and not the cost of the project.

Board Member Szafranski stated that what he is looking for is to make sure that this project will not have these townhomes having an average sales price of \$5 to \$8 million dollars and then remain vacant. He believes it is an ambitious project.

Vice Chair Forbes stated that they are here as a design and review board and they are strictly to look at that portion of the project.

Board Member Lecour believes the project is beautiful and what they stated in theory. She stated that the hard elements of the frame are overbearing and if there is a way to soften it up a touch, either bringing it back or putting more green and possibly wrapping it around on the East side. She stated that more green will also benefit the residents of the units that are facing South due to the heat that will be coming in through that side.

Mr. Gonzalez appreciates the comments made and they will work with staff on the project to make sure they have that canopy set up in a way that addresses a sustainable canopy that will stay green.

Board Member Lecour asked if this is the approval for the frame or will it come back to them.

Town Attorney Recio stated this is the approval for the frame and they can request recommendations or changes.

Board Member Lecour spoke regarding the diameter of the frame and if it could possibly come down a bit and wrap around.

Mr. Gonzalez stated they are also taking into account the elements of the plants.

Ms. Kolshal stated that they can work with the landscape architect on the plants and there are zoning limitations regarding the façade and wrapping it around.

Board Member Lecour spoke regarding the importance of the plant selections. She also asked regarding the landscaping on the façade. She also commented on the requirement for street trees. She suggested to have a better and more realistic rendering when they go before the Commission. She also requested for the street trees to be a condition of approval.

Mr. Gonzalez addressed the comments made by Board Member Lecour. He stated that they discussed widening the sidewalk and working with staff to achieve that.

Consultant Town Planner Keller stated there was discussion on widening the sidewalk and the setback of this property and possibly widening the sidewalk to the street but will not give them more planting space. He spoke regarding how it can occur and how it would be maintained.

Town Attorney Recio stated that the code does give some options and they could move the wall to accommodate that.

Vice Chair Forbes asked if this complies to code the way it is being presented.

Consultant Town Planner Keller stated that the landscape does comply with code and they have to address the Florida friendly species requirement. He stated that the difficulty is that they only have 10 feet to work with and they have balconies.

Ms. Kolshal addressed the comments made regarding the trees and provided a suggestion.

Vice Chair Forbes likes the project and the landscaping is amazing. He spoke regarding the frame of the building and it is modern and what this Town needs and likes the fact that it is only 8 units. He does agree that the eastern view needs some architectural accent. He stated that there are 24 spots in the garage and no parking for visitors.

Mr. Gonzalez stated that they exceed the spaces required and they do take into account guest parking in the garage and on the street. He also commented on the plans and the of volume of the project.

Town Attorney Recio stated that they are making a recommendation for approval to the Commission.

Board Member Lecour stated that they do not have to see this application again but they should have the recommendations on the revised frame.

A motion was made by Board Member Lecour to approve the application with staff recommendations including the reiteration of the frame either wrapping around or

added greenery, and work on the street trees on all 3 facades, seconded by Board Member Rais. The motion carried with a 4-1 vote with Board Member Szafranski voting in opposition.

[8809 Harding Avenue Table 1.pdf](#)

[8809 Harding Avenue Agenda Packet.pdf](#)

4.B 8926 Irving Avenue - Single Family Residence - Town Consultant Planner
Walter Keller, AICP, PE

Staff Recommendation: It is recommended the application be approved subject to the following comments:

- The Town's FEMA Flood requirements are finished floor elevation of 10.00 not 9.00 NGVD. Please revise the plan package accordingly.
- The swimming pool cannot be closer than 15 feet from the seawall and an engineering report will be required from a registered structural engineer on the structural capacity of the adjacent seawall.
- The trellis is limited to a maximum height of 12 feet.
- Per Sec. 90-56.1, A fence or ornamental wall not more than six feet in height, as measured from grade, may project into or enclose an interior side or rear yard only. Plans indicate whether the existing retaining wall is removed and replaced with the black vinyl chain link fence.
- Per Sec. 90-91, A minimum of 20% of the pervious area on single family and duplex dwellings must be Florida Friendly landscape, except that as of the Effective Date of this Ordinance, the pervious area of all new single family and duplex dwelling construction shall provide at least 40% Florida Friendly landscape and 40% of required trees and shrubs.
- Per Sec. 90-97, a tree removed or relocated will require a tree removal permit. The proposed plan shows the removal of ten trees, no mitigation is proposed. Trees removed must be permitted and mitigated.

Consultant Town Planner Keller introduced the item and provided staff recommendations.

Christina Magdalena, representing the applicant introduced the item.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Board Member Rais spoke regarding the home being contemporary and the architecture of the home. She spoke regarding the material and color of the home. She asked regarding the refuse bins possibly encroaching on the setback.

Ms. Magdalena addressed the comments made by Board Member Rais.

Board Member Szafranski likes the home and project.

Board Member Lecour asked regarding the shape and how they came up with the 10 feet. She asked if there is a fence or wall on the property line as well as the landscaping being a bit bare. She spoke regarding the greenery and foliage and suggested making it more green in the front.

Ms. Magdalena addressed the comments made by Board Member Lecour and stated there will not be a fence.

Board Member Edderai believes it is a beautiful project.

Vice Chair Forbes likes the project and will add a lot to the street.

A motion was made by Board Member Edderai to approve the application with staff recommendations, seconded by Board Member Szafranski. The motion carried with a 4-1 vote with Board Member Lecour voting in opposition.

[8926 Irving Ave Table 1.pdf](#)

[8926 Irving Avenue Agenda Packet.pdf](#)

4.C 8835 Froude Avenue - Demolition of Existing Single Family Home and construction of New Two-Story Single Family Home - Town Consultant Planner Walter Keller, AICP, PE

Staff Recommendation: It is recommended the application be approved conditionally subject to the following comments:

- Per Sec. 90-47.3, air conditioning equipment, pool pump, or other mechanical equipment may be located in a required rear setback, provided such equipment is a least 15 feet from any other single-family or two-family residence, shall maintain at least a 5-foot setback from the rear and side yards and is not visible from any street or waterway. Please provide the location of pool equipment and setback on the site plan.
- Per Sec. 90-56.1, A fence or ornamental wall not more than six feet in height, as measured from grade, may project into or enclose an interior side or rear yard only. Please provide the dimensions of the proposed retaining wall.
- Per Sec 90-89, street trees shall be required at one shade/palm tree per 20 linear feet of street frontage along all public or private right-of-ways. Street trees should be native and mature to a height of at least 20 feet and planted along the swale or right-of-way. Trees planted within the right-of-way will require a permit from public works. Street trees shall meet the requirements of this section. Please provide landscape plans.
- Per Sec. 90-91, A minimum of 20% of the pervious area on single family and duplex dwellings must be Florida Friendly landscape, except that as of the Effective Date of this Ordinance, the pervious area of all new single family and duplex dwelling construction shall provide at least 40% Florida Friendly landscape and 40% of required trees and shrubs.
- Per Sec. 90-97, trees removed or relocated will require a tree removal permit. The proposed plan shows the removal of four trees, no mitigation is proposed. Trees removed must be permitted and mitigated.

Consultant Town Planner Keller introduced the item and provided staff

recommendations.

Ms. Jahal, representing the applicant introduced the item and stated they will not be requesting any variances.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Board Member Rais spoke regarding the design and architecture of the home and project. She stated that what she keeps seeing with these types of projects is that they do not take into the account the rich architectural history.

Board Member Szafranski commented on homes not requesting variances but are doing what they are allowed to do. He stated that these types of applications should be able to be done without going before this Board and possibly getting it approved administratively.

Board Member Lecour stated that it is important to preserve the street frontage of Surfside and appreciates the volumes moving away from the street. She asked regarding possibly softening up the box in the front and pull the roof overhang out a bit to create shade. She asked regarding the material of the garage door.

Ms. Jahal addressed the comments made by Board Member Lecour.

Vice Chair Forbes agrees with the comments made. He asked regarding the location of the air conditioning unit and the trash room mentioned in the plans. He believes it looks good.

A motion was made by Board Member Szafranski to approve the application with staff recommendations, seconded by Board Member Edderai. The motion carried with a 4-1 vote with Board Member Rais voting in opposition.

[8835 Froude Ave Table 1.pdf](#)

[8835 Froude Avenue Agenda Packet.pdf](#)

4.D 8851 Hawthorne Avenue - New Two-Story Single Family Residence - Town Planner Walter Keller, AICP, PE

Staff Recommendation: It is recommended the application be approved subject to the following comments:

- Per Sec. 90-44.2, mechanical equipment rooms, including elevator shafts, and stair access ways may be allowed to exceed the maximum height limitations, not to exceed three (3) feet, provided they shall be of a high architectural quality integral to the design of the building. The proposed height of the aluminum screen enclosure for the condensing unit exceeds the maximum requirement.

- Per Sec. 90-55.1, Non-habitable structures, including but not limited to cabanas, pergolas, gazeboes, and trellises shall have a maximum height of 12 feet. The proposed trellis on the south side exceeds the allowed height.
- Per Sec. 90-54.2, the minimum rear and side setback for a pool is five (5) feet. The pool setback should not include the pool coping. Please provide the required setback from the coping.
- Per Sec 90-89, street trees shall be required at one shade/palm tree per 20 linear feet of street frontage along all public or private right-of-ways. Street trees should be native and mature to a height of at least 20 feet and planted along the swale or right-of-way. Trees planted within the right-of-way will require a permit from public works. Street trees shall meet the requirements of this section. Please include planting details on landscape plan.
- Per Sec. 90-91, the pervious area of all new single family and duplex dwelling construction shall provide at least 40% Florida Friendly landscape and 40% of required trees and shrubs.
- Per Sec. 90-95, trees for single-family homes shall be a minimum of 30% canopy trees, small trees can be a maximum of 30%, and palm trees shall be a minimum of six feet of grey wood or clear wood and counted as 3:1, total palms cannot make up more than 40% of total trees. Proposed trees shall meet the minimum height, DBH and canopy spread. Proposed trees do not meet the requirements of the code.
- Per Sec. 90-97, trees removed or relocated will require a tree removal permit. The proposed plan shows the removal of three (3) trees, no mitigation is proposed. Trees removed must be permitted and mitigated.

Consultant Town Planner Keller introduced the item and provided staff recommendations.

Town Planner Frankel added the 40% lot coverage recommendation.

Jose Sanchez, architect provided an overview of the project.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Board Member Rais agrees that the neighborhood does not have a particular style. She appreciates that he added the concrete texture and spoke regarding the architecture of the project.

Board Member Szafranski asked if they are going to seek some variance.

Consultant Town Planner Keller stated they are not seeking any variance and just need to verify with the applicant that they comply with the lot coverage.

Board Member Szafranski asked if they just need to verify some information.

Consultant Town Planner Keller advised the process of verifying the information and

they would just ask them for a minor revision.

Mr. Sanchez stated they will not be requesting a variance.

Board Member Lecour likes the project and spoke regarding the landscaping added to the plans as well as the required shade tree on the streets.

Mr. Sanchez stated they will work with the landscape architect to address those recommendations.

Board Member Edderai likes the house.

Vice Chair Forbes likes the home and does not agree with the north elevation and the blank wall. He spoke regarding upgrading the landscape plan as part of the recommendations.

A motion was made by Board Member Edderai to approve the application with staff recommendations to include more landscaping, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

[8851 Hawthorne Ave Table 1.pdf](#)

[8851 Hawthorne Avenue Agenda Packet.pdf](#)

4.E 9364 Bay Drive - Fence - Town Consultant Planner Walter Keller, AICP, PE

Staff Recommendation: It is recommended the application be approved if granted design approval by the Planning and Zoning Board.

Consultant Town Planner Keller introduced the item and provided staff recommendations.

Daniel Shapiro, applicant provided an overview of his application.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Vice Chair Forbes likes the idea of the fence and if done correctly, architecturally correct and meets code then he thinks it is great.

Board Member Edderrai said it was a good idea especially if you have children.

Board Member Lecour stated she does not like fences or gates and understands the necessity. She stated there are ways to do it where it is more welcoming. She spoke regarding the height of the fence.

Mr. Shapiro addressed the comments made by Board Member Lecour and spoke regarding the hedges and stated that you will not see the fence.

Board Member Szafranski stated that he loves fences and believes that people have a right to privacy.

Board Member Rais agrees with the application.

Town Planner Frankel stated that the fence could not be set on the property line.

A motion was made by Board Member Edderai to approve the application with staff recommendations, seconded by Board Member Szafranski. The motion carried with a 5-0 vote.

[9364 Bay Drive Table 1.pdf](#)

[9364 Bay Drive Agenda Packet.pdf](#)

4.F 9501 Harding Avenue - Awning - Town Consultant Planner Walter Keller, AICP, PE

Staff Recommendation: It is recommended the application be approved as submitted. Note, this report maybe updated prior to the meeting.

Consultant Town Planner Keller introduced the item and provided staff recommendations.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Vice Chair Forbes asked if there are other awnings.

Consultant Town Planner Keller stated yes.

Board Member Lecour asked which is the awning and the location of the awning.

Consultant Town Planner Keller addressed the comments made by Board Member Lecour and Vice Chair Forbes.

A motion was made by Board Member Edderai to approve the application with staff recommendations, seconded by Board Member Szafranski. The motion carried with a 5-0 vote.

[9501 Harding Ave Table 1.pdf](#)

[9501 Harding Avenue Agenda Packet.pdf](#)

[Avi Ciment Awning location.pdf](#)

5. Ordinances

5.A Amending Town Code Section 90-67. - Emergency Power Generators - Town Attorney

The attached Ordinance for first reading amends Section 90-67 of the Town Code to permit the placement of generators on the rooftop in residential structures located in the H30A and H30B zoning districts, in accordance with screening mitigation requirements as set forth in Section 90-67.3 of the Code, as may be amended.

Deputy Town Clerk Herbello read the title of the ordinance into the record.

Town Attorney Recio introduced the item.

Vice Chair Forbes opened public comment.

There were no public speakers.

Vice Chair Forbes closed public comment.

Vice Chair Forbes agrees with this ordinance and stated this should have been done a while back.

Board Member Lecour also agrees with the ordinance and only asks that there be an access point to get to the equipment.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance on second reading, seconded by Board Member Edderai. The motion carried with a 5-0 vote.

[Ordinance Amending Section 90-67-Emergency Power Generators.DOCX](#)

6. Next Meeting Date

6.A October 27, 2022 at 6:00 p.m. - Deputy Town Clerk Evelyn Herbello

Consensus was reached to hold the next meeting on October 27, 2022 at 6:00 p.m.

7. Discussion Items

There were no discussion items.

8. Adjournment

There being no further business to conduct before the Board a motion was made by Board Member Edderai to adjourn the meeting without objection at 8:03 p.m., seconded by Board Member Lecour. The motion carried with a 5-0 vote.

Respectfully submitted,

Accepted his _____ day of _____, 2022.

Carolyn Baumel, Chair

Attest:

Sandra McCready, MPA, MMC
Town Clerk